

REMARKS

In response to the Office Action dated January 28, 2003, claims 2 and 3 are amended and claims 4 and 22 are cancelled. Claims 2, 3, 12, 23 and 24 are now active in this application. No new matter has been added.

The indication that claims 12, 23 and 24 are allowable is acknowledged and appreciated.

OBJECTION OF CLAIM 4

Claim 4 is objected to as being of improper dependent form. However, the objection is moot as to cancelled claim 4.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 2-4 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cima et al. (hereinafter, Cima).

The rejection is moot as to cancelled claim 22.

Regarding claim 2, the Examiner maintains that the use of one material that becomes stable faster than another material after the another material is applied to the layer amounts to an intended use of the apparatus and has no patentable weight.

By this response, claim 2 is amended to recite:

controlling said applying head by said controller to apply said plural kinds of material selectively to a predetermined region on said layer includes applying a first material included in said plural kinds of materials and having a first time for becoming stable, after application of a second material included in said plural kinds of materials and having a second time for becoming stable, less than the first time.

More specifically, claim 2 now clearly delineates a controlling operation of the controller that cannot be disregarded by the Examiner as it is quite “germaine” to the issue of patentability of

the machine itself. The controlling operation requires that a first material having a first time for becoming stable be applied after a second material having a second time for becoming stable, less than the first time. Such control operation is not disclosed or suggested in Cima. Consequently, amended claim 2 is patentable over Cima.

Claim 4 is cancelled and claim 3 is amended to require

controlling said applying head by said controller to apply said plural kinds of materials selectively to a predetermined region on said layer includes applying said binder after applying said ink.

Thus, the controlling operation of claim 3 now requires that the binder to be applied after the ink. This specific control operation is not disclosed in Cima. Thus, amended claim 3 is patentable over Cima.

CONCLUSION

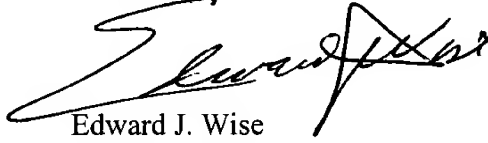
Accordingly, it is urged that the application, as now amended, overcomes the rejection of record and is in condition for allowance. Entry of the amendment and favorable reconsideration of this application, as amended, are respectfully requested. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

09/662,150

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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